

**INVENTORS DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

TISSUE GRAFT

☐ is attached hereto
☒ was filed on January 26, 2001 as U.S. Application Serial No. 09/769,769 (Atty. Dkt. No. 1577-109)
☐ was filed as PCT International application No. on
 and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

[illegible]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.


Application Number	Date/Month/Year Filed
60/178 632	28 January 2000

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below.

Prior U.S./PCT Application(s)	Day/Month/Year Filed	Status: patented pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby ask that all communications in this matter be directed to: **NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000.**

1. Inventor's Signature: J-D. Ollerenshaw Date: 4/2/01
Inventor: Jeremy D. Ollerenshaw
(first) MI (last)
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2. Inventor's Signature:  Date: 1/3/01
Inventor: Steven Goldstein U.S.A.
(first) (last) (citizenship)
MI Georgia
Residence: (city) Atlanta (state/country)
Mailing Address: 2939 Greenbrook Way, Atlanta, Georgia
(Zip Code) 30345

3. Inventor's Signature: Tim S. Blake Date: 4/2/01
 Inventor: Kirby S. Black
 (first) MI (last) U.S.A.
 (citizenship)
 Residence: (city) Acworth (state/country) Georgia
 Mailing Address: 1371 Peppergrass Trail, Acworth, Georgia
 (Zip Code) 30101

510759

Applicant, or Patentee: OLLERENSHAW et alAttorney's Dkt. No. 1577-109Serial or Patent No.: 09/769,769Filed or Issued: January 26, 2001For: TISSUE GRAFT**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS [37 19(f) and 1.27(c)] - SMALL BUSINESS CONCERN**

I hereby declare that I am



the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN CRYOLIFE, INC.ADDRESS OF CONCERN 1655 Roberts Boulevard, NW, Kennesaw, Georgia 30144

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

TISSUE GRAFTby inventors OLLERENSHAW et al described in☐ the specification filed herewith.☒ application Serial No. 09/769,769, filed January 26, 2001☐ patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

Name _____

Address _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

Name _____

Address _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

SIGNATURE

Kirby S. BlackSENIOR VICE President, Research & Development1655 Roberts Blvd NW Kennesaw GA 30144DATE 4/2/01